HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
And
HON'BLE SHRI JUSTICE G.V.SEETHAPATHY

W.P. NO.632 OF 2006

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Between:

M/s Silver Plate Hotels Pvt Ltd
Represented by its proprietor Mr.Satish Khanna.

..... Petitioner

AND

The Commissioner of Police,
Hyderabad City, Basheerbagh,
Hyderabad and 4 others.

.....Respondents

::ORDER::

Counsel for the Petitioner : Sri G.L.Nageshwar Rao for

Sri V.Venkata Ramana

Counsel for Respondents : Government Pleader

for Home

Dated 11/7/2006

Per Sri G.S.Singhvi, CJ

This is a petition for quashing order dated 4.1.2006 passed by Commissioner of Police, Hyderabad City (respondent No.1) whereby he refused permission to the petitioner for conducting live band with male and female singers in the licensed premises known as Silver Plate Bar and Restaurant, Paradise Circle, Secunderabad.

From the order sheets of the case, we find that hearing of this petition was adjourned on different dates at the request of counsel for either of the parties or with a direction that the same be heard along with Writ Petition No.6498 of 2006, which was ultimately disposed of on 21.4.2006 by directing respondent No.1 to pass fresh order on the petitioner's application for renewal of amusement licence.

On 21.4.2006 and 9.6.2006 the case was adjourned at the request of the learned counsel for the petitioner to await the order, which respondent No.1 was required to pass in compliance of the direction given in Writ Petition No.6498 of 2006.

At the commencement of hearing, we enquired from learned counsel for the petitioner whether respondent No.1 has passed appropriate order in the matter of grant of licence to his client. In reply, learned counsel stated that as per the instructions of his client, the officer concerned has not passed the required order.

Learned Government Pleader for Home says that he is not in a position to make any statement whether respondent No.1 has granted amusement licence to the petitioner.

In view of the above, we do not consider it necessary to keep the petition pending and dispose of the same with the direction that if

respondent No.1 grants amusement licence to the petitioner, under which the petitioner becomes entitled to operate the Bar and Restaurant, then it may apply for revival of this petition filed for quashing the prohibition imposed on conducting live band with male and female singers. If, on the other hand, respondent No.1 rejects the petitioner's application for amusement licence, then it shall be free to challenge the same by availing appropriate legal remedy and seek revival of this petition only after success in the subsequent litigation.

G.S.SINGHVI, CJ

Dt.11.7.2006

G.V.SEETHAPATHY, J

svs